

REMARKS

Claims 1 and 5-7 are pending in this application. By this Amendment, claim 1 is amended and claim 2 is canceled. Support for the amendments to the claims may be found, for example, in the specification at page 5, lines 6-7 and page 8, lines 16-17. No new matter is added.

In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

I. Personal Interview

The courtesies extended to Applicants' representative by Examiner MacFarlane at the interview held April 20, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

II. 35 U.S.C. §103(a) Rejection

The Office Action rejects claims 1, 2, and 5-7 under 35 U.S.C. §103(a) over Tsuzuki et al., *Hepaticite Growth Factor Reduces Infarct Volume After Transient Focal Cerebral Ischemia in Rats*, 76 Acta Neurochirurgica Supplement 311-316 (2000) ("Tsuzuki") in view of Fukumizu et al., *Neonatal Posthemorrhagic Hydrocephalus: Neuropathologic and Immunohistochemical Studies*, 13 (3) Pediatric Neurology 230-234 (October 1995) ("Fukumizu"). By this Amendment, claim 2 is canceled, rendering its rejection moot. As to the remaining rejections, Applicants respectfully traverse.

Without conceding the propriety of the rejection, claim 1 is amended to recite:

A method of treating communicating hydrocephalus in an animal or a human comprising administering intraventricularly a pharmaceutical composition comprising human recombinant Hepaticite Growth Factor (hrHGF) to an animal or human in need thereof.

The combination of Tsuzuki and Fukumizu would not have rendered obvious claim 1 for at least the following reasons.

Tsuzuki describes administration of HGF to treat ischemia but fails to provide any teaching regarding HGF and hydrocephalus. Fukumizu is asserted to cure the deficiencies of Tsuzuki by teaching that hypoxic/ischemic factors contribute to and cause neuropathology of hydrocephalus. As discussed during the interview, neither of these references teaches or suggests, separately or in combination, "treating communicating hydrocephalus...by administering...hrHGF." Accordingly, the combination of applied references would not have rendered obvious the method of claim 1.

Claim 1 would not have been rendered obvious by Tsuzuki and Fukumizu. Claims 5-7 variously depend from claim 1 and, thus, also would not have been rendered obvious by the applied references. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

III. Conclusion

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance and earnestly solicit favorable reconsideration and prompt allowance of the application.

Should the Examiner believe that anything further would be desirable to place this application in even better condition for allowance, Applicants invite the Examiner to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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